

REMARKS

Applicants thank Examiner Leith for conducting the kind and courteous discussion with Applicants representative, Vincent K. Shier, on October 11, 2005. The content of the discussion is reflected in the amendments to the claims and the following remarks.

Upon entry of the amendment, Claims 1-3 are canceled without prejudice and Claims 4-30 are added. Upon entry of the amendment, the rejections of Claims 1-3 are now rendered moot. It is respectfully requested that the Examiner withdraw all outstanding rejections.

Applicants believe that new Claims 4-30 are both novel and unobvious over the disclosures of US 1,687,154 and Swain, as these references relate only to ingestion of substantially whole cucumbers.

Accordingly, Applicants note that the references of record are unlike the method preventing, ameliorating, or treating lesions caused by estrogen deficiency in a subject in need thereof comprising contacting the skin of said subject with a cosmetic composition comprising one or more active ingredients and wherein said active ingredients are selected from the group consisting of: (a) a whole plant or a part thereof selected from the group consisting of mulberry bark, ginseng, cucumber, and phellodendron bark; (b) chlorella; (c) an aqueous extract or alcohol extract of a plant or part thereof selected from the group consisting of mulberry bark, ginseng, cucumber, and phellodendron bark; and (d) an aqueous extract of chlorella, as recited in new Claim 4.

Moreover, Applicants note that the references of record do not disclose or fairly suggest the method of preventing, ameliorating, or treating lesions caused by estrogen deficiency in a subject in need thereof comprising administering to said subject an internal drug composition comprising one or more active ingredients and wherein said active ingredients are selected from the group consisting of: (a) a whole plant or a part thereof selected from the group consisting of mulberry bark, ginseng, and phellodendron

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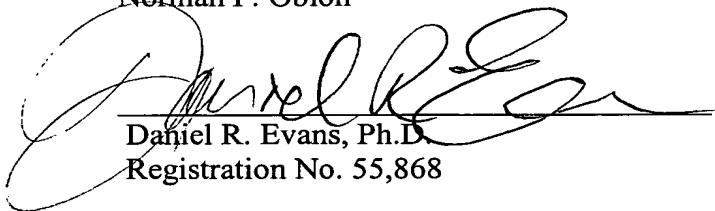
bark; (b) chlorella; (c) an aqueous extract or alcohol extract of a plant or part thereof selected from the group consisting of mulberry bark, ginseng, cucumber, and phellodendron bark; and (d) an aqueous extract of chlorella, as recited in new Claim 18.

It is respectfully requested that the Examiner, upon careful consideration and searching the claimed methods, conclude the same.

This is a response is filed on January 25, 2006, which is in response to the Office Action dated August 25, 2005. Applicants kindly request that the U.S. Patent and Trademark Office grant a petition under 37 C.F.R. §1.136 for a two month extension of time, and charge Applicants' representative Deposit Account No. 15-0030 for the requisite fees.

Respectfully submitted,

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